

**Planning Commission Meeting
Springwater and Oregon Trail Conference Rooms
Gresham City Hall
February 23, 2015 6:30 p.m.**

I. Opening/Citizen Comments

A regular session of the Gresham Planning Commission was called to order by Chair Richard Anderson on the 23rd of February 2015, at 6:32 PM in the Springwater and Oregon Trail Conference Rooms at Gresham City Hall located at 1333 NW Eastman Parkway, Gresham Oregon. Minutes were recorded and prepared by Tammy Richardson.

COMMISSIONERS PRESENT: Richard Anderson, Chair
Bill Bailey
Hermann Colas, Jr.
Paul Drechsler
Darren Hippenstiel, Vice-Chair
Jef Kaiser

COMMISSIONERS ABSENT: None

STAFF PRESENT: David Berniker, Urban Design & Planning Director
Brian Martin, Urban Design & Planning
Tina Osterink, Urban Design & Planning
Tammy Richardson, Urban Design & Planning
David Ross, City Attorney's Office

COUNCIL LIAISONS PRESENT: None

II. General Comment Period

No one wished to provide general comments during this time.

III. Public Hearing

Continuation of a Type IV Legislative Hearing

DCIP6: Tree Code Update

CPA 14-346

Chair Anderson opened the proceedings. None of the Commissioners made any declarations or abstained from the proceedings. No one objected to any of the Commissioners participation in the hearing. This is a continuation of a Type IV legislative hearing opened and conducted on January 26, 2015.

Tina Osterink presented a brief recap of the project and summarized the changes made to the proposed code since the previous hearing. The modifications fall into four categories: 1) organizational changes; 2) language clarification; 3) clarification of review procedures; and 4) Code application clarifications.

Ms. Osterink also addressed additional changes proposed as documented in Addendum No. 2 to the Staff Report. Additional proposed modifications address the definition of Perimeter Tree, references to Significant Groves, and modification of the use categories and exemptions for non-single family uses so it reflects how land divisions are handled in the Development Code.

Ms. Osterink stated that the proposal complies with City goals and policies, state-wide land use planning goals, and the Metro Functional Plan. She gave staff's recommendation that the Planning Commission recommend approval of the proposal to the City Council based on the findings, conclusions and recommendations stated in the Staff Report and Addendums 1 and 2 to the Staff Report.

Commissioner Kaiser said he has looked at several definitions for "Tree" and they all include the word "perennial." He suggested it be included in the City's definition so that it reads "A large perennial woody plant....". Additionally he suggested adding references of Significant Groves to tree protection standards where it currently only contains language for individual trees.

Commissioner Kaiser asked about the inclusion of invasive trees under the three tree rule. He said by definition invasive species tend to become worse so limiting property owners from removing invasive special is probably not appropriate.

Ms. Osterink said that pertains to the overlay districts and the reason for that is to provide some flexibility for removal whether invasive or non-invasive species.

Commissioner Kaiser said he thinks there are some problems with invasive species and just suggests staff think about constraints and the City's objectives to be rid of invasive species.

Ms. Osterink noted that earlier in that section, tree removal during development, that removal is allowed within ten feet of the proposed structure so the reference in question is for anything after that on the site. During the review process the applicant has to show what they intend to remove within ten feet and beyond that any regulated tree, which are trees over 8" in diameter.

Commissioner Bailey said there is the ability to remove more than three non-native species through a Type II process, which would protect the special purpose overlays. He thinks it raises the bar a little bit to remove more than three trees, even if they are invasive in a special purpose overlay. There is a review process if someone wishes to do so.

Ms. Osterink responded to Commissioner Kaiser's suggestions for adding "perennial" to the definition of tree and the references to significant groves in the tree protection standards. She said staff agrees and that change can be made.

Commissioner Bailey noted that Section 9.1024 refers to Design Review under the tree removal permit. He asked if that refers to a specific land use type or is it more general.

Ms. Osterink stated that the language was added for the issuance of a building permit to cover uses that do not get covered through the design review process, such as for single family dwellings.

Commissioner Bailey said he just wanted to make sure the term design review wasn't a generic term and that it refers to a specific process.

Brian Martin clarified that the term design review refers to all the different Design Review procedures – A through E – in Article 7 of the Development Code.

Commissioner Kaiser said there should be a way to separate non-invasive from invasive species without having to get an arborist report if there is an invasive species problem.

Ms. Osterink responded that the idea of having an arborist report is when there is a Type II process, which is a more formalized process, is to provide more information to the public when going through a formal tree removal process. She said again this is in the overlay districts and there is a need to be cautious when tree removal is proposed on slopes and in the flood plains.

Commissioner Anderson asked if staff actually identifies what are included as invasive species.

Ms. Osterink stated that there are three trees documented on the City's invasive species list. Staff can look at that to see if it seems reasonable to remove them if they are troublesome.

Commissioner Colas said requiring an arborist report for removal of invasive species, when they are already known to be invasive, is an added expense for development and construction.

Ms. Osterink said that staff took out the requirement for an arborist report for removal of three trees, and again, in the overlay district. For removal over that threshold, staff needs to know from an expert's perspective for protection and the health and safety of the property.

Commissioner Colas said he feels that the expense should be decided between the developer and architects.

Commissioner Hippenstiel said there a couple of different issues. There are different requirements when going through a development permit. He wanted to clarify that this is not

something that would necessarily raise the cost of development or construction of the site because that's already been accounted for when putting a development permit together.

Public Testimony

Carol Rulla said she supports the proposal with the recommended changes included in Addendum No. 2, and said staff has done a tremendous amount of work in making many revisions to the Code. She said this has been a tough code to write, untangling what we had before and a lot of progress has been made. She feels the changes will make the Code much clearer. Ms. Rulla pointed out her written testimony (Exhibit #2) which lists some minor corrections and some things that did not get put into the revised draft due to time constraints. She just wanted to put this into the record in case there is an opportunity to make additional changes. She stated her support for the Code change and all the good work that has been done. It is a great improvement and hopes there can be a follow up in a year or so to clean up anything that may not work the way we want it to.

Jim Buck stated that he wanted to also thank the Commission and noted that the Urban Forestry Subcommittee (UFS) members were impressed at the January hearing at how the Commission conveyed the fact that they had review and studied all the material to a high degree. He stated appreciation for their work. Mr. Buck commented on the invasive tree comments and they certainly support the notion that we don't want to see invasive species expanding across the city. He clarified that it only applies to those trees that are 8" or greater in diameter at breast height, so it doesn't restrict anyone from trying to take care of holly starts or any other invasive species that are below that size. Mr. Buck said as a subcommittee, the UFS is concerned that on hillside areas where there are concerns about landslides or slope movement, that there should be careful review by City staff when removing multiple trees at any one time that are 8" or more in diameter. He feels the language as proposed should be maintained. Mr. Buck also agreed with Ms. Rulla in thanking the staff in the reworking of the code changes to make them more understandable by the public. He also suggests that after the changes move through Council that after a year there should be a review of the implementation to see if there are any uncertainties where additional clarification can be made. He again thanked staff and the Commission for the time put into this project.

Shirley Craddick, Metro Councilor, wanted to thank everyone involved in this project very much for all the work that has been done. She was involved in the beginning discussions for this project as a City Councilor. She is pleased to see it moving to the next step. She the urban canopy is important for protecting streams and a healthy environment. We need to do all we can to preserve Gresham's canopy and realizes that it is a constant balance to be fair to developers and homeowners and maintaining a healthy urban canopy. Ms. Craddick again thanked staff, the Commission and the citizens of Gresham for contributing to the project.

There was no further testimony. Chair Anderson asked staff for their final recommendation.

Tina Osterink gave staff's final recommendation asking the Commission to recommend approval of Application No. CPA 14-346 to the City Council based on the findings, conclusions and recommendations of the Staff Report, Addendum No. 1 and Addendum No. 2 to the staff report, with the following additional changes:

- Article 3 – Section 3.0100 Definitions: amend definition of Tree to read as follows: “A large perennial woody plant generally having a self-supporting stem, trunk, or multi-trunks and numerous branches. Hedges and arborvitae are not considered trees.”
- Section 9.1022(B) and 9.1032(B) amend the last sentence to read: “For a Significant Grove, the perimeter of the grove shall be where the area of protection is located with the radius measured from each tree located along the perimeter of the grove, or as determined by a Certified Arborist.”

There was unanimous consensus to close the hearing.

Commissioner Hippenstiel moved recommend approval of application CPA 14-346 to the City Council based on the findings, conclusions and recommendations of the Staff Report, and Addendums No. 1 and No. 2 to the Staff Report with the two additional amendments noted above in staff’s final recommendation. Motion was seconded by Commissioner Bailey. The motion passed 6:0 as follows:

Commissioner Anderson: Yes
Commissioner Bailey: Yes
Commissioner Colas, Jr.: Yes

Commissioner Drechsler: Yes
Commissioner Hippenstiel: Yes
Commissioner Kaiser: Yes

IV. Other Business/Adjournment

Powell-Division Transit & Development Project Update

Brian Martin introduced Leila Aman of Fregonese Associates, a consultant working on the Powell-Division Transit and Development project. Brian and Ms. Aman provided an update and summary of the project. The project seeks to bring important investments to Gresham, East Portland and Southeast Portland, that supports and improves neighborhoods and makes it easier for people to get around. It also studies how bus rapid transit can be added between Gresham and Portland to get to key destinations such as Mt. Hood Community College and Downtown Gresham. Gresham staff is working with partners including Metro, TriMet, City of Portland, Oregon Department of Transportation (ODOT) and Multnomah County to ensure that land-use and transit alternatives consider and meet the needs of Gresham and bring key investments to improve Gresham’s quality of life.

In addition to choosing a route and vehicle type, the project will create a community-supported vision and development strategy for key station opportunity areas along the Powell-Division corridor. Station opportunity areas that are receiving in-depth study in Gresham are Division and 182nd, Division and Eastman/Main, and Hogan/Stark. Last fall the project Steering Committee decided to continue studying bus rapid transit options and narrowed the route to Powell in close-in southeast Portland, switching to Division west of I-205 and continuing to Downtown Gresham. Key transit decisions under review now include:

- Where the bus should switch from Powell to Division under considered options including Cesar Chavez (39th), 50th, 52nd, 82nd and 92nd.

- Whether the line should proceed to Mt. Hood Community College and what route to take.
- How to make for a faster bus trip and where? Options include bus-only lanes, signal priority at intersections, slip lanes that allow the bus to pass by queues at intersections, wider spacing between stops, and ticketing or bus technology that allows for faster boarding.

Key questions for the station opportunity areas involve what desired change people would like to see that enhances transit, such as more sidewalks and safe crosswalks, safer bicycle facilities, enhanced bus shelters/platforms, more affordable housing, gathering places, activities such as food carts, additional businesses and more places to work.

The idea of bus rapid transit was described. It would be frequent and fast, having fewer stops and possibly a dedicated lane or technology that would turn traffic lights green as it approaches intersections. It should also be easier to use, having raised platforms for people with disabilities and ticketing machines for faster boarding.

Commission discussion comments included:

- ❖ Favors bus rapid transit in some form;
- ❖ Focus on transit-oriented development around the key station areas;
- ❖ Be careful as looking at incentives that still focus on priorities;
- ❖ Division/182nd area compatibility;
- ❖ Choices for dedicated routes to get to MHCC, concerns about connections and trucking/freight between industrial areas – ensure purpose and goals are compatible for traffic through the corridors;
- ❖ Hogan route has potential for Port of Portland business property and jobs with connection to MHCC and Legacy Medical Center;
- ❖ Legacy Hospital should also be an identified key destination;
- ❖ Try to avoid displacement;
- ❖ Strategies for providing and retaining affordable housing near the centers;
- ❖ Identify capital improvements and cost implications needed when determining preferred route to college – some more expensive than others as far as feasibility and reconstruction issues;
- ❖ Powell/Hogan would probably not work well as a route for a TriMet bus;
- ❖ Utilize Engineering analysis for cost studies;
- ❖ Cleveland may be one of the better routes – may not need as much capital improvement;
- ❖ Kane Road probably not best route providing route south to Powell – existing truck traffic;
- ❖ Division and Kane to the college would miss one of the station areas and would not effectively serve that station area;
- ❖ Idea of having some kind of loop is a good opportunity and should be studied – for longer trips and straight line trip serves short trips;
- ❖ Steepness of hill on 223rd could be an issue;
- ❖ Substantial benefit to increase in service area with a loop system and could double north/south opportunities; and
- ❖ Important to create a network of transit – include rapid transit, existing transit, and pedestrian and bicycle enhancements for safety, including sidewalks and connectivity as part of the project.

October 13, 2014 Minutes

Motion to approve as written by Commissioner Hippenstiel. Second by Commissioner Kaiser. Motion passed unanimously with Commissioner Drechsler abstaining as he was not in attendance at that meeting.

January 26, 2015 Minutes

Motion to approve as written by Commissioner Hippenstiel. Second by Commissioner Kaiser. Motion passed unanimously with Commissioners Colas and Drechsler abstaining due to their absence at that meeting.

Meeting adjourned 8:25 p.m.


Chair

MARCH 9, 2015
Date


Recording Secretary

3/10/2015
Date

